

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:19-cv-226-MOC-WCM

WILLIAM ORR,)
)
Plaintiff,)
v.)
)
UNITED STATES)
ENVIRONMENTAL)
AGENCY, ET AL.)
)
Defendants.)
_____)

ORDER

This matter is before the Court on the following:

- Federal Defendants’ Motion for Extension of Time to File Reply Brief Pending Resolution of Plaintiff’s Motion For Leave (Doc. 30), and
- Motion for Extension of Time by Defendants French Broad Electric Membership Corporation and Jeff Loven (Doc. 31).

On July 19, 2019, Plaintiff William Orr (“Plaintiff”), who is appearing *pro se*, filed a Complaint against the United States Environmental Protection Agency, the United States Department of Interior, the United States Forest Service, the United States Fish and Wildlife Service (collectively, “Federal Defendants”), and against French Broad Electric Membership Corporation, and Jeff Loven (collectively, “Private Defendants”). Doc. 1.

The Private Defendants and the Federal Defendants filed Motions to Dismiss on September 13, 2019 and September 30, 2019, respectively. Docs. 16 & 20.

Plaintiff was subsequently granted two extensions of time to respond to the Motions to Dismiss, with Plaintiff's last deadline to do so being November 29, 2019. Docs. 25 & 27.

On December 5, 2019, Plaintiff filed an opposition to the Motions to Dismiss (Doc. 28) and a "Joint Motion for Leave to File Out of Time and to File Amended Complaint" (Doc. 29) ("Motion for Leave to File and to Amend"), which included a proposed Amended Complaint.

The Federal Defendants and the Private Defendants now request that their deadlines for filing replies in support of their Motions to Dismiss be held in abeyance and/or that, if the Court allows Plaintiff to amend his complaint, Defendants be allowed three weeks to respond to the Amended Complaint. Docs. 30 & 31.

Defendants' responses to Plaintiff's Motion for Leave to File and to Amend are currently due by December 19.

To promote procedural clarity, as well as the efficient use of the resources of the parties and the Court, the instant motions will be granted in part as stated herein.

IT IS THEREFORE ORDERED THAT Federal Defendants' Motion for Extension of Time to File Reply Brief Pending Resolution of Plaintiff's Motion For Leave (Doc. 30), and the Motion for Extension of Time by Defendants French Broad Electric Membership Corporation and Jeff Loven (Doc. 31) are **GRANTED IN PART** and the deadline for all Defendants to file replies in support of their Motions to Dismiss is **TEMPORARILY STAYED** pending determination of Plaintiff's request to amend his Complaint.

Signed: December 18, 2019

A handwritten signature in black ink, reading "W. Carleton Metcalf", written over a horizontal line.

W. Carleton Metcalf
United States Magistrate Judge

